

ORIGINAL

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 19 2004

at 11 o'clock and 12 min. AM.
WALTER A.Y.H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

| | | |
|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | <i>Mag</i> CR. NO. 04-0246 BMK |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MOTION TO DETAIN |
| |) | DEFENDANT WITHOUT BAIL |
| KUM SUC HONG |) | |
| a/k/a : "Korean Connie" |) | |
| |) | |
| Defendant. |) | |
| |) | |

MOTION TO DETAIN DEFENDANT WITHOUT BAIL

The United States hereby moves to detain Defendant
without bail, pursuant to 18 U.S.C. Section 3142.

1. **Eligibility Of Case.** This Defendant is eligible
for detention because the case involves (check all that apply):

- ☐ a. Offense committed on release pending
felony trial (3142(d)(1)(A)(i)) *
- ☐ b. Offense committed on release pending
imposition, execution, or appeal of

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sentence, conviction or completion of sentence (3142(d)(1)(A)(ii))★

- ____ c. Offense committed while on probation or parole (3142(d)(1)(A)(iii))★
- ____ d. A citizen of a foreign country or unlawfully admitted person (3142(d)(1)(B))★
- ____ e. Crime of violence (3142(f)(1)(A))
- ____ f. Maximum sentence life imprisonment or death (3142(f)(1)(B))
- X g. 10+ year drug offense (3142(f)(1)(C))
- ____ h. Felony, with two prior convictions in above categories (3142(f)(1)(D))
- X i. Serious risk Defendant will flee (3142(f)(2)(A))
- X j. Danger to other person or community **
- ____ k. Serious risk obstruction of justice (3142(f)(2)(B))
- ____ l. Serious risk threat, injury, intimidation of prospective witness or juror (3142(f)(2)(B))

* requires "i" or "j" additionally

** requires "a", "b", "c", or "d" additionally

2. Reason For Detention. The Court should detain

Defendant (check all that apply):

- X a. Because there is no condition or combination of conditions of release which will reasonably assure Defendant's appearance as required (3142(e))
- X b. Because there is no condition or combination of conditions of release

which will reasonably assure the safety
of any other person and the community
(3142(e))

- ___ c. Pending notification of appropriate
Court or official (not more than 10
working days (3142(d))

3. **Rebuttable Presumption.** The United States
(will/will not) invoke the rebuttable presumption against
Defendant under Section 3142(e). If invoked, the presumption
applies because (check all that apply):

- X a. Probable cause to believe Defendant
committed 10+ year drug offense
- ___ b. Probable cause to believe Defendant
committed an offense under 18 U.S.C.
§ 924(c)
- ___ c. Previous conviction for eligible offense
committed while on pretrial bond

4. **Time For Detention Hearing.** The United States
requests that the Court conduct the Detention Hearing:

- ___ a. At first appearance
- X b. After continuance of ___ days (not more
than 3)


5. **Rule 40 Cases.** The United States requests that
the Detention Hearing be held:

- ___ a. In the District of Hawaii
- ___ b. In the District where charges were filed

6. Other Matters.

DATED: March 19, 2004, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By 
KENNETH M. SORENSON
Assistant U.S. Attorney